



January 29, 2016

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## SENATE BILL No. 357

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DIGEST OF SB 357 (Updated January 27, 2016 12:36 pm - DI 106)

**Citations Affected:** IC 10-13.

**Synopsis:** Registry of convicted child abusers. Defines "crime of child abuse" and requires the state police department (department) to establish an electronic child abuse registry containing information relating to persons convicted of a crime of child abuse. Requires the department to adopt rules to establish a procedure permitting a person erroneously included in the registry to obtain relief.

**Effective:** July 1, 2016.

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**Yoder**

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January 11, 2016, read first time and referred to Committee on Judiciary.  
January 28, 2016, reported favorably — Do Pass.

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January 29, 2016

Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

## SENATE BILL No. 357

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 10-13-9 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2016]:

4 **Chapter 9. Child Abuse Registry**

5 **Sec. 1. The following definitions apply throughout this chapter:**

6 **(1) "Crime of child abuse" means:**

7 **(A) neglect of a dependent (IC 35-46-1-4) if the dependent**  
8 **is a child and the offense is committed under:**

9 **(i) IC 35-46-1-4(a)(1);**

10 **(ii) IC 35-46-1-4(a)(2); or**

11 **(iii) IC 35-46-1-4(a)(3);**

12 **(B) child selling (IC 35-46-1-4(d));**

13 **(C) a sex offense (as defined in IC 11-8-8-5.2) committed**  
14 **against a child; or**

15 **(D) battery against a child under:**

16 **(i) IC 35-42-2-1(d)(3) (battery on a child);**

17 **(ii) IC 35-42-2-1(f)(5)(B) (battery causing bodily injury**

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to a child);

(iii) IC 35-42-2-1(i) (battery causing serious bodily injury to a child); or

(iv) IC 35-42-2-1(j) (battery resulting in the death of a child).

The term includes a crime committed in another jurisdiction in which the elements of the crime are substantially similar to a crime described in this section.

(2) "Registry" means the child abuse registry established under section 2 of this chapter.

Sec. 2. Not later than January 1, 2017, the department shall establish and maintain a child abuse registry.

Sec. 3. The registry must contain:

(1) the name;

(2) the age;

(3) the last known city of residence;

(4) a photograph, if available;

(5) a description of the crime of child abuse conviction; and

(6) any other identifying information, as determined by the department;

of every person convicted of a crime of child abuse.

Sec. 4. The department shall obtain data for publication on the registry from:

(1) criminal history data maintained by the department under IC 10-13-3, except for data whose publication is prohibited by federal law;

(2) information reported to the department by the department of correction; and

(3) information obtained by the department from another governmental entity, if, in the opinion of the department, the information is credible and reliable.

Sec. 5. (a) The department shall publish the registry on the department's Internet web site. The registry must be searchable and available to the public.

(b) The department shall ensure that the registry is updated at least one (1) time every thirty (30) days.

(c) The department shall ensure that the registry displays the following or similar words:

"Based on information submitted to law enforcement, a person whose name appears in this registry has been convicted of a crime of child abuse. However, information on the registry may not be complete."



1       **Sec. 6. (a) The department may adopt rules under IC 4-22-2 to**  
2       **implement this chapter.**

3       **(b) The department shall adopt rules under IC 4-22-2 to**  
4       **establish a procedure permitting a person whose name is**  
5       **erroneously included in the registry to obtain relief.**



## COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 357, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 357 as introduced.)

STEELE, Chairperson

Committee Vote: Yeas 7, Nays 0

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